

Senate File 212 - Enrolled

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SENATE FILE 212

AN ACT

RELATING TO COUNTY OFFICES, BY PROTECTING CERTAIN IDENTITY INFORMATION CONTAINED IN DOCUMENTS RECORDED WITH THE COUNTY RECORDER AND BY INCREASING SALARY LIMITS FOR CERTAIN DEPUTY OFFICERS AND PROVIDING AN APPLICABILITY DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 331.606A, Code 2007, is amended by striking the section and inserting in lieu thereof the following:

331.606A DOCUMENT CONTENT == PERSONALLY IDENTIFIABLE INFORMATION.

1. DEFINITIONS.

a. "Personally identifiable information" means one or more of the following specific unique identifiers when combined with an individual's name:

(1) Social security number.

(2) Checking, savings, or share account number, credit, debit, or charge card number.

b. "Preparer" means the person or entity who creates, drafts, edits, revises, or last changes the documents that are recorded with the recorder.

c. "Redact" or "redaction" means the process of removing personally identifiable information from documents.

2. INCLUSION OF PERSONALLY IDENTIFIABLE INFORMATION. The preparer of a document shall not include an individual's personally identifiable information in a document that is prepared and presented for recording in the office of the recorder. This subsection shall not apply to documents that were executed by an individual prior to July 1, 2007. Unless provided otherwise by law, all documents described by this section are subject to inspection and copying by the public.

3. REDACTION ON A RECORDER'S INTERNET WEBSITE. If a document that includes an individual's personally identifiable information was recorded with the recorder and is available on the recorder's internet website, the individual may request that the recorder redact such information from the website. The recorder shall establish a procedure by which individuals may request that such personally identifiable information be redacted from the internet record available on the recorder's internet website, at no fee to the requesting individual. The recorder shall comply with an individual's request to redact personally identifiable information.

4. LIABILITY OF PREPARER. A preparer who, in violation of subsection 2, enters personally identifiable information in a document that is prepared and presented for recording is liable to the individual whose personally identifiable information appears in the recorded public document for actual damages of up to five hundred dollars for each act of recording.

5. APPLICABILITY. This section shall not apply to a preparer of a state or federal tax lien, a military separation or discharge record, or a death certificate that is prepared for recording in the office of county recorder. If a military separation or discharge record or a death certificate is recorded in the office of the county recorder, the military separation or discharge record or the death certificate shall not be accessible through the internet.

Sec. 2. Section 331.904, subsection 1, Code 2007, is amended to read as follows:

1. The annual base salary of the first and second deputy officer of the office of auditor, treasurer, and recorder, the deputy in charge of the motor vehicle registration and title division, and the deputy in charge of driver's license issuance shall each be an amount not to exceed ~~eighty~~ eighty-five percent of the annual salary of the deputy's principal officer. In offices where more than two deputies are required, the annual base salary of each additional deputy shall be paid an amount not to exceed ~~seventy-five~~ eighty percent of the principal officer's salary. The amount of the

3 4 annual base salary of each deputy shall be certified by the
3 5 principal officer to the board and, if a deputy's annual base
3 6 salary does not exceed the limitations specified in this
3 7 subsection, the board shall certify the annual base salary to
3 8 the auditor. The board shall not certify a deputy's annual
3 9 base salary which exceeds the limitations of this subsection.

3 10 As used in this subsection, "base salary" means the basic
3 11 compensation excluding overtime pay, longevity pay, shift
3 12 differential pay, or other supplement pay and fringe benefits.

3 13 Sec. 3. APPLICABILITY DATE. This Act applies to county
3 14 budgets for the fiscal year beginning July 1, 2008, and all
3 15 subsequent fiscal years.

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3 20 JOHN P. KIBBIE
3 21 President of the Senate

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3 24 PATRICK J. MURPHY
3 25 Speaker of the House
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3 27 I hereby certify that this bill originated in the Senate and
3 28 is known as Senate File 212, Eighty-second General Assembly.

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3 32 MICHAEL E. MARSHALL
3 33 Secretary of the Senate

3 34 Approved _____, 2007

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4 2 _____
4 3 CHESTER J. CULVER
4 4 Governor